

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**MARTINO CARTIER**

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**CIVIL ACTION**

**v.**

**HSN, INC., HSNi, LLC,  
DOES 1-10 and QVC. INC.**

**NO. 23-cv-87**

**ORDER**

**NOW**, this 23rd day of May, 2023, upon consideration of the Defendants' Motion to Dismiss Plaintiff's Amended Complaint for Failure to State a Claim (Doc. No. 17), the plaintiff's response, and the defendants' reply, it is **ORDERED** that the motion is **GRANTED IN PART** and **DENIED IN PART**.

**IT IS FURTHER ORDERED** as follows:

1. To the extent the motion seeks dismissal of Counts I and II of the Amended Complaint, it is **DENIED**.
2. To the extent the motion seeks dismissal of Count III of the Amended Complaint, it is **GRANTED**.
3. Count III of the Amended Complaint is **DISMISSED**.

  
TIMOTHY J. SAVAGE, J.